

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
(BOSTON)**

**Nancy Brooks and Joan Silverman, as
Trustees of the Irrevocable Trust of Donald L.
Silverman and as Executrices for the Estate of
Donald L. Silverman**

Plaintiffs,

V.

AIG SunAmerica Life Assurance Company,

Defendant.

Civil Action No. 05-10994-WGY

PLAINTIFFS' MOTION TO AMEND COMPLAINT

Plaintiffs Nancy Brooks and Joan Silverman, on behalf of themselves and all other similarly situated persons, hereby move to amend their original complaint with the First Amended Class Action Complaint, e-filed herewith, in order to (1) satisfy the Court's directive that plaintiffs file a "supplemental pleading," (2) clarify their theories of recovery and (3) incorporate defendant's admission that it both breached its insurance contract and violated the regulations of the Massachusetts Division of Insurance in raising COI Rates on plaintiffs' insurance policy. Therefore, the Court should **grant** Plaintiffs' Motion to Amend Complaint and order that the First Amended Class Action Complaint is now the operative complaint in this action.

Respectfully submitted,

DATED: 9 November 2005

/s/ _____
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CERTIFICATE OF SERVICE

I certify that on 9 November 2005, I caused a true copy of the foregoing document to be served electronically via the Court's electronic filing system on defense counsel.

_____/s/_____
John Peter Zavez